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Participation in and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women

Report of the Secretary-General

Summary

The present report summarizes past efforts of the United Nations system in the area of women and the media and information and communication technologies (ICT). In reviewing the gender dimensions, the report focuses on opportunities, with particular emphasis on women's participation and access to media and ICT. The report then reviews the challenges to and impact on women's empowerment through ICT and new media. The report concludes with a series of recommendations for consideration by the Commission on the Status of Women.

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I. Introduction

1. In accordance with the multi-year programme of work for 2002-2006 adopted by the Economic and Social Council in its resolution 2001/4 of 24 July 2001, the Commission on the Status of Women will review two thematic issues at its forty-seventh session, in March 2003. The present analytical report covers the theme "participation in and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women".

2. In order to contribute to a further understanding of the issues and to assist the Commission in its deliberations, the Division for the Advancement of Women of the Department of Economic and Social Affairs convened two expert group meetings. One meeting, on information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women, took place in Seoul from 11 to 14 November 2002.[1] A second meeting, on participation in and access of women to the media, took place in Beirut from 12 to 15 November 2002.[2] In both meetings, the Division collaborated with relevant entities of the United Nations system (the International Telecommunication Union (ITU) and the United Nations Information and Communication Technologies Task Force secretariat in the Seoul meeting and the Department of Public Information, the Economic and Social Commission for Western Asia and the United Nations Educational, Scientific and Cultural Organization in the Beirut meeting).

3. The present report is based on the analysis and conclusions of the above-mentioned expert group meetings, on the case studies and contributions provided by the experts from various regions and representatives of United Nations entities and civil society and on the literature on the subject. Its recommendations are directed towards Governments, the United Nations system, intergovernmental and non-governmental organizations (NGOs), the private sector and civil society. They aim to expand an agenda for actions to be taken at all levels to accelerate the implementation of the Beijing Platform for Action and the outcome documents of the twenty-third special session of the General Assembly in those areas (resolutions S-23/2, annex, and S-23/3, annex).

4. At its forty-seventh session, the Commission on the Status of Women will consider the relationship between information and communication technologies (ICT) and gender equality for the first time, building upon, and in continuation of, its past work on women and the media. The outcome of the Commission's deliberations should set a global policy framework on this question, and also serve as a critical contribution to the World Summit on the Information Society, which will be held in two phases, in 2003 (Geneva) and 2005 (Tunis). The World Summit on the Information Society[3] aims to develop a common vision and understanding of the information society (see General Assembly resolution 56/183 of 21 December 2001). Among the themes the Summit is expected to cover are questions of access to ICT for all, ICT as a tool for economic and social development and for meeting the millennium development goals (see A/56/326) and confidence and security in the use of ICT.

II. Efforts of the United Nations system

5. The issue of women and the media has been on the international agenda since the first World Conference on Women, held in 1975, with the serious underrepresentation of women as protagonists and participants in media structures around the world being addressed as a major challenge. Women and media is one of the 12 critical areas of concern covered in the Beijing Platform for Action,[4] which identified an increase in the participation in and access of women to expression and decision-making in and through the media and new technologies of communication as one of its strategic objectives. Actions to be taken aim at women's equal access to all areas and levels of the media (para. 239 (a)), their full and equal participation in the media, including in management, programming, education, training and research (para. 239 (c)), their participation in the development of guidelines, as well as in information production, (para. 241 (a) and (d)), and training of women to make greater use of information technology for communication and the media (para. 242 (b)). The Commission on the Status of Women considered the question of women and the media in 1996 (agreed conclusions 1996/2), also stressing the need to support women's equal participation in all areas and all levels of media work, as well as in media advisory, regulatory and monitoring bodies; to strengthen the role of women in global communication networks; and to reduce barriers to women's involvement in information technology development. The issue was also taken up by the General Assembly at its twenty-third special session, held in June 2000, to review progress made in implementation of the Platform for Action, which called upon media networks to promote equal access for women and men as producers and consumers.

6. The Platform for Action drew attention to the emerging global communications network and its impact on public policies as well as private attitudes and behaviour. It called for the empowerment of women through enhancing their skills, knowledge, access to and use of information technologies. At its twenty-third special session, the General Assembly recognized the increased opportunities created by information and communication technologies for women to contribute to knowledge-sharing, networking and electronic commerce activities. It also noted that poverty, lack of access and opportunities, illiteracy, including computer illiteracy, and language barriers prevented some women from using such technologies, including the Internet. Steps were proposed to ensure that women benefited fully from ICT, including equal access to related education, training and entrepreneurship opportunities, and equal access as producers and consumers of technology through public and private partnerships.

7. The role of information and communication technologies as a tool for development has recently attracted the sustained attention of the United Nations. In 2000, the Economic and Social Council adopted a ministerial declaration on the role of information technology in the context of a knowledge-based economy.[5] Later that year, the Millennium Declaration (see General Assembly resolution 55/2) underscored the urgency of ensuring that the benefits of new technologies, especially those in the areas of information and communication, be available to all, and also resolved to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable. In 2001, the Council considered the role of ICT for development in the context of partnerships with relevant stakeholders, including the

private sector.[6] In 2002, the General Assembly held a two-day meeting devoted to information and communication technologies for development (17 and 18 June; see A/57/280).

8. Based on the recommendation of the Economic and Social Council in its decision 2001/210 of 13 March 2001, the Information and Communication Technologies Task Force[7] was launched in November 2001 to help harness the power of ICT to advance the goals contained in the Millennium Declaration, in particular the goal of halving the number of people living in extreme poverty by 2015. The Task Force's mission statement and action plan recognize the potential of ICT for promoting gender equality and for enhancing women's educational, health and economic opportunities and their participation in public life.

III. Gender dimensions in information and communication technologies and the media

The emergence of information and communication technologies as a tool for development and participation

9. Information and communication technologies comprise a complex and heterogeneous set of goods, applications and services used to produce, distribute, process and transform information. The ICT sector consists of segments as diverse as telecommunications, television and radio broadcasting, computer hardware and software, computer services and electronic media (see the report of the expert group meeting).[1] These technologies, their applications and their combination in new and constantly evolving ways are giving rise to contemporary knowledge-based economies and societies (see also E/2002/52-A/57/71).

10. The advent and growth of new information and communication technologies and the growing convergence of all media made possible by advances in those technologies and in telecommunications have had a major impact on the media. With the spread of satellite communication and the introduction of previously unimaginable numbers of channels in many countries, the enormous power of the media to influence ideas and behaviour at all levels of society has become fully apparent. Internet-enabled electronic networking, web databases and information centres, web radio, web television, fax broadcasting, videoconferencing, CD-ROMs, special technologies for people with disabilities and other technological innovations serve to broaden the accessibility and reach of the media.

11. Information and communication technologies provide unique opportunities for economic growth and human development. They can shape and enhance a wide range of development applications — from electronic commerce to access to financial markets, from generating employment to providing opportunities for investment and growth, including of small and medium-sized enterprises, from improved agricultural and manufacturing productivity to the empowerment and participation of all sectors of society, from long-distance education to telemedicine and from environmental management and monitoring to prevention and management of disasters. The potential to help foster sustainable development, empower people — women and men, the young and the old, build capacities and skills, assist small- and medium-sized enterprises, reduce poverty and enhance participation and informed decision-making at all levels is enormous.

12. The arrival of digital technologies in general, and digital media technologies in particular, also provide the means for individuals, small groups and previously marginalized communities to participate in public life and socio-economic development and to express their views. These new technologies offer potentially important new audiences access to a wider range of sources of material and rapid means of information exchange.

13. As the digital revolution and the rapid growth of ICT are opening vast new opportunities, at the same time they are further widening the disparities between and within countries. In considering the role of ICT in the creation of a global knowledge-based economy and society, it should be noted that the majority of the world's population still lives in poverty and remains untouched by the ICT revolution. The "digital divide" or "digital exclusion" is characterized by unequal access to ICT due to factors such as lack of infrastructure, resources and investment, high costs of connectivity and low levels of technological skills, education and literacy. The spread of new technologies and their impact on the mass media are also creating a new communication and cultural environment, with many new concerns in relation to issues such as media freedom, cybercrime and intellectual property rights, as well as the continuation of many previously identified challenges and barriers in areas such as participation and access.

14. Information and communication technologies are not gender-neutral. Like any other technology, they are socially constructed, and affect men and women differently.[8] Globally, there are substantial differences in women's and men's access to and use and production of these technologies and the media, and women make up a disproportionate number of those who are marginalized or excluded from new opportunities. Such differences in access and opportunities have important implications for policy development both nationally and internationally.

15. It should be noted, however, that an understanding of gender issues with respect to ICT is hampered by the lack of reliable statistics and data, particularly on women's use of ICT. The major collector and disseminator of such statistics is ITU. Few if any of its data or indicators on ICT are at present disaggregated by sex.[9] There are no data on tele-density or Internet access, labour market statistics or ICT training statistics that are measured globally and that are relevant to gender equality in ICT. The lack of indicators is detrimental to current ICT research. For example, it means that most assessments of e-readiness (i.e., the ability to take advantage of electronic resources) cannot give much evidence as to the various states of readiness within a population. Given that e-readiness assessments are generally influential in and seen as forces driving ICT policy, this lack of data likely contributes to greater gender inequality in the ICT area.[10] Research continues to document women's absence from senior decision-making positions in the media worldwide. Likewise, no apparent progress is being made in transforming media content, where one study showed that in 1995, 17 per cent of news sources were women, with the number rising to 18 per cent in 2000 (see the report of the expert group meeting).[2]

Women's participation in and access to the media, and information and communication technologies as a tool for the empowerment of women

16. For those women who can access and use them, information and communication technologies and new media offer many benefits, especially in terms of reducing poverty, improving governance, overcoming isolation, providing a voice

and advancing gender equality. There is a growing body of evidence of how women are using these technologies for their empowerment and advancement.

17. Information and communication technologies are improving women's economic livelihoods by expanding access to local and international markets for women producers and traders and by increasing access to jobs, education and training and entrepreneurial opportunities. Women are taking advantage of the increased flexibility in employment conditions to combine roles in the care economy with professional roles. In some countries and regions, women are benefiting in large numbers from new jobs created through ICT, such as in the software industry and the data-processing sector.[11] The necessary adaptation of ICT to women's needs is also reshaping the content of those technologies and is creating new lines of research that are developing new kinds of specialists and new employment opportunities.[12]

18. Women are increasing their access to health, nutrition, education and other human development opportunities, such as political participation, through ICT-mediated delivery channels. Women are also making extensive use of technology services to mobilize for women's empowerment and societal well-being.[13] Solutions such as telecentres have proved useful in providing women with access to the Internet by sharing connection costs, creating learning experience and knowledge and supporting the creation of networks.

19. By using one of the most important democratizing aspects of the Internet — the creation of secure online spaces, protected from harassment — women are enjoying freedom of expression and privacy of communication to oppose gender discrimination and promote women's human rights. New technologies, as well as the combination of well-established technologies (i.e., radio, television, landline telephones) with such innovations as computers, the Internet and satellite telephones, are narrowing the distance between citizens, and between them and decision-making processes, and increasing opportunities for women's participation in public life.

20. The advent of new technologies and the growing convergence of all media are having a major impact on the information and communication work done by the women's movement. There are increased opportunities for national, regional and global distribution of women-generated news, much of which, in the past, was limited in outreach. The Internet has brought women's news and views into the public domain, with countless web sites targeted specifically, if not exclusively, to women. The Web has also supported the creation of strong online women's communities, and many "connected" women act as bridges to unconnected groups in their communities by repackaging information they find online and sharing it through other communication channels and in different languages.

The impact of information and communication technologies and new media on women's empowerment

21. Women are increasingly taking advantage of the opportunities created through ICT. At the same time, many factors determine the extent of women's access to and control of such technologies and the media as users, producers and consumers. If those technologies are a tool for development, it is imperative to ensure that women not only understand their significance, but also that an environment is created that will allow them to access and use them for their empowerment and the promotion of

gender equality. Experience from many other development sectors shows that explicit attention is required in order to ensure that gender perspectives are addressed in the various stages of policy design, implementation and follow-up. While information and communication technologies for development have only recently captured international attention, shortcomings and gaps in terms of attention to gender aspects have already become apparent, and insights gained and lessons learned in other socio-economic sectors are insufficiently applied.[14]

22. Women encounter socio-economic, cultural and political barriers and challenges that differ in important ways from those of men and that can prevent women from reaping the full benefits of the information age, as well as from being active participants in the shaping of the information society. Income, time constraints, degree of literacy, level of education and cultural contexts affect access to new media and ICT-related facilities, training and employment. While information and communication technologies in and of themselves cannot create gender equality or end poverty, they can be tools for social action and positive social change towards gender equality. In order to ensure that those technologies indeed become a tool for the empowerment of women and to prevent their disadvantageous or discriminatory impact on women, there is a need to address specifically and explicitly in ICT-related policies and activities unequal power relations between women and men, the persistence of gender-specific structural inequalities between women and men and gender-based discrimination and inequalities in many areas.

23. Most national ICT policies are silent on gender issues and do not address gender equality goals. (See appendix II to the report of the expert group meeting,[1] which identified the Republic of Korea as one of the few countries in which gender equality is addressed in regard to ICT policies.) However, all areas commonly covered by national ICT policy — many of which are specifically relevant to media operations — have gender aspects (see appendix I to the report), and the integration of such aspects into the policy process is critical for ensuring that gender dimensions are addressed to prevent or remedy continuing differential and disadvantageous effects on women. Women's poverty levels, as well as their geographical location, are important aspects to be considered before decisions are made on issues such as infrastructure development, network deployment or technology choice, broadcast licensing and frequency distribution, as well as in planning universal access. Choices that have an urban bias and high cost will in general reduce access for women. As more women, particularly in developing countries, tend to live where infrastructure is poorly distributed or not available at all, such infrastructural imbalances may adversely affect many women, particularly those in poor urban and rural areas,[15] and the cost of technology and access also present barriers for many women in developing countries in using new technologies for economic advancement.

24. Discussions and policy development on gender equality on the one hand and on ICT and the media and communication systems on the other tend to be carried out in parallel, and are almost never interconnected at the international, or even the national, level. Women's concerns about access, use, content, communication rights and freedom of expression are rarely taken into account in wider debates about ICT as a tool for development, free speech, media control or communication structures. An essential and urgent step in the pursuit of women's advancement and empowerment in and through ICT and the media must be an insistence on the centrality of the gender equality goal as an integral part of the efforts to secure the

benefits of ICT as a tool for development for all and to establish free and democratic media structures in society today. Narrowing the gap between ICT policy makers and gender equality advocates remains a major challenge.

25. With access and cost being two of the most serious challenges to women's access to and use of ICT and new media, there is a need to consider the way in which ICT-related resources are allocated through policies and projects. Universal access policies, resources for training and capacity-building for women in the use of ICT and the use of funds for projects targeted to women deserve particular attention. Even where there are policies and programmes in place to improve access, for example, through public service and community media or telecommunication development funds that can be used to establish ICT access points so as to contribute to women's empowerment, few women's organizations or organizations working towards gender equality benefit from those programmes.[16]

26. Women's use and, especially, control of information and communication technologies, resources and media and broadcasting systems is also affected by the low level of women's political participation and their representation in decision-making structures in the ICT and media sectors (see the report of the expert group meeting,[1] particularly the box on women in telecommunication decision-making structures). Representation contributes to the creation of a framework that will enable women to maximize their possibilities to benefit from ICT and the media. It also enhances accountability to women of the institutions that develop ICT and media policies and in the development of policies in those areas that result in changes towards equal gender relations.

27. ICT decision-making, including that of policy and regulatory institutions, is more commonly considered as a technical rather than a political or social issue. Relevant bodies and institutions generally include only government and corporate interests, with few opportunities for civil society to presents its views. As awareness and knowledge about the significance of ICT for development as well as the gender dimensions of ICT are generally low, there is a need to build constituencies for gender equality in ICT development within civil society and government, especially within national machineries for the advancement of women and government bodies involved in all aspects of ICT. Gender equality advocates need to undertake self-education in gender analysis of ICT and become actively involved in national policy-making, including with regard to the impact of ICT on media and communications.

28. Women are also often additionally disadvantaged in their access to and use of existing ICT and media facilities, especially in developing countries, because of their lower level of education and skills. Women's higher rate of illiteracy compared with men and their lack of ICT training hinder their entrance into the information economy. The dominance of the English language in software and content affects women more, as women globally are less likely than men to know English. Persistent cultural constraints, such as stereotypical views of the roles of men and women, also affect the ICT sector. Gender bias is reflected in attitudes towards girls and women studying or using ICT,[17] and the significantly lower number of female science and technology students in most countries is a further barrier to women's full participation in the information age.

29. There is a dearth of information, research and codified knowledge on women and the educational use of ICT worldwide. Furthermore, continuing restricted access

to education, particularly for girls, high teacher-pupil ratios in classrooms, a shortage of qualified educators, budgetary cuts in education and limited infrastructure contribute towards a proliferating social crisis in education, especially in the developing world. For example, in Africa, an estimated 45 million youth do not have access to education. There girls make up the larger proportion of youth out of school. A recent study revealed that the percentage of female enrolment in primary school in Africa has remained the same, at 45 per cent, and has shown only a 1 per cent increase at the secondary level.[18] The introduction of ICT in this context will increase the gender gap with respect to ICT skills and knowledge.

30. Applications that accommodate the needs of illiterate women and local language adaptations remain limited but are necessary to increase women's access to and use of ICT.[19] Likewise, the content that predominates on the Internet and in new media, and especially the lack of adequate reflection of women's viewpoints, knowledge, needs and interests, as well as the portrayal of women, may prevent women from using those technologies. Journalistic content on the Internet currently reflects existing patterns in terms of the sources and priorities of the news, as well as traditional gender patterns in the selection of stories. On the other hand, when content relevant to women is available and women can consult such information, in private when necessary, the relevance of the technology for women increases and their marginalization in media and communication processes is reduced. The absence of information on women's rights and on remedies for violations reduces the usefulness of the technology for women. Use will increase where information on concerns such as HIV/AIDS prevention and related support systems is provided through new technologies in ways that overcome cultural and social biases that restrict women's access to traditional sources of information.

31. The opportunities at present provided by Internet-based e-learning, mainly in the developed world, could undercut women's achievements in their participation in higher education in particular. As women are disadvantaged in ICT access and skills, their participation in e-learning is also limited.

32. A lack of gender awareness also affects perceptions regarding users' needs and preferences. Women's mobility, in terms of both their access to transport and their ability to leave the home, is frequently more limited than that of men. Given women's multiple roles and family responsibilities, decisions on the location of telecentres and other community access points, opening hours and staffing can disadvantage and exclude women from using ICT-related opportunities. For example, women may encounter greater social and cultural constraints to using a telecentre that is located near a place where men commonly gather than one that is located near a school and managed by women.

33. Labour is highly segregated in the ICT industry.[20] Women are concentrated in end-user, lower skilled and lowest paid jobs related to information processing, banking, insurance, printing and publishing, and outsourced jobs for women are in call centres, information services, data entry, geographical information systems and software programming. However, women make up a small percentage of managerial, maintenance and design personnel in networks, operating systems and software. More women are becoming software programmers but very few are in hardware design. Women comprise the majority of those employed in computer and electronic assembly manufacturing jobs, but the first generation of women workers in ICT industries, first in developed and now in developing countries, are not being

trained for new, more advanced jobs. Women have rarely reached high-level positions in information technology at the technical, managerial or decision-making levels. The concentration of economic power in global multinational firms has not increased leadership opportunities for women. ICT can also threaten the livelihoods of women when they lead to the elimination of jobs women have been performing.[21]

34. Although more women are entering and using the media, concerns about women's access, employment and decision-making remain. There are particular barriers to women in certain sectors of the media, for example political, business and sports journalism; the persistence of a glass ceiling prevents many women from rising above the middle echelons within media organizations; and research also points to a high attrition rate of women in the media industry.

35. In many countries women are moving increasingly into web development and design. However, few women are ICT entrepreneurs. In order to bring the benefits of an ICT-based economy to a large number of women, certain areas require improvement, such as access, including infrastructure, cost and connectivity, and focus on content and language. This is particularly important for women in the informal sector and women living in rural areas. E-commerce policies rarely accommodate the activities of women traders, and there is a lack of intermediaries or brokers to facilitate the process.

36. Boundaries of work time in the technological society do not recognize men's and women's multiple roles, and labour laws may prevent women's full participation in the information economy. Inequitable global terms of trade have resulted in low wages and poor working conditions for many women working in offshore ICT manufacturing. The high risk of unemployment in the ICT sector, frequently combined with unfavourable labour contracts, produces hardship for women working as ICT professionals. Some highly profitable aspects of the ICT economy, such as pornography, sexually exploit women.

37. E-governance focuses on how new technologies can be used to strengthen the public's voice as a force for reshaping democratic processes and to refocus the management, structure and oversight of government to better serve the public interest.[22] At present, e-governance policies, where they exist, are essentially gender-blind and do not recognize the existence of gender gaps in access to government services and political processes, especially of women living in rural or remote areas or who are otherwise marginalized.

38. Attendees at the World Summit on the Information Society are expected to agree on policy goals in the information society. An important opportunity exists to identify and address the gender perspectives in regard to all aspects that will be covered by the Summit, including a recognition that ICT policy does not equally affect women and men. This is especially critical, as the Summit's outcome will provide guidance for national ICT policy development. To the extent that the Summit is able to set a standard for mainstreaming gender concerns, the gender equality goal will be more effectively pursued at the national level.

IV. Recommendations for action

39. **A focus on the gender dimensions of information and communication technologies is essential not only for preventing an adverse impact of the digital**

revolution on gender equality or the perpetuation of existing inequalities and discrimination, but also for enhancing women's equitable access to the benefits of information and communication technologies and to ensure that they can become a central tool for the empowerment of women and the promotion of gender equality. Policies, programmes and projects need to ensure that gender differences and inequalities in the access to and use of ICT are identified and fully addressed so that such technologies actively promote gender equality and ensure that gender-based disadvantages are not created or perpetuated. Such a perspective should make it possible to reduce, if not eliminate, the gender gap in the digital divide. Efforts are also necessary to increase women's participation in and access to new media opportunities created through ICT.

40. The Commission may wish to consider the following actions towards securing the benefits of the information age for girls and women.

A. Creation of a gender-sensitive enabling environment and integration of gender perspectives in the development and implementation of national policies and strategies in the area of information and communication technologies and media and communication policies

41. Governments at all levels, governmental bodies and regulatory agencies responsible for ICT, communication and media policies, national machineries for the advancement of women, international organizations, including the United Nations system, research and academic institutions and civil society should:

(a) Adopt and implement legislative, regulatory and administrative measures to promote gender equality in all sectoral areas specific to information and communication technologies;

(b) Ensure that gender perspectives are taken into account when developing technical and regulatory instruments for such policy issues as universal access, including cost and connectivity, licensing, tariffs, spectrum allocation, infrastructure, ICT industry development and labour policies;

(c) Create monitoring frameworks, including reporting mechanisms, and capacity to ensure the implementation of gender-sensitive ICT policies and regulations;

(d) Ensure that, when adopting measures concerning privacy and security in ICT, the particular interests and concerns of women, such as issues relating to violence against women and trafficking in women, are fully addressed;

(e) Strengthen the capacity of national machineries for the advancement of women, including through the provision of financial resources and technical expertise, to take a lead advocacy role with respect to ICT and gender equality, to encourage and facilitate collaborative action among government bodies with responsibilities for ICT and for gender equality and to participate actively in national preparatory activities for the World Summit on the Information Society;

(f) Put in place measures that ensure the increased representation and participation of women in technical and regulatory bodies at all levels of the policy formulation and implementation process and in international coordination efforts with respect to media, ICT and telecommunications;

(g) Support and provide training for gender and ICT specialists, as well as for gender and communication specialists, and integrate gender analysis into ICT-related training efforts for policy makers;

(h) Include content about gender perspectives in all official government web sites, in addition to those that specifically cover gender equality issues;

(i) Develop, promote and implement research programmes on the impact of ICT on gender equality;

(j) Support and encourage research programmes to adapt ICT to the needs of poor and, especially, illiterate women;

(k) Take concrete steps to increase the number of female students in the fields of science and technology and ICT, as well as the number of women researchers, scientists, educators and administrators at all levels, especially at the tertiary level, in technical fields related to ICT so as to increase the number of women in ICT-related careers at all levels, and especially in the development of technologies, hardware design and production and software engineering;

(l) Support, for example through training and mentoring systems, the capacity of women, women's organizations and journalists to create, access and share, through ICT and traditional media channels, information that serves the needs of different groups of women and girls, including illiterate women and women with disabilities who have specific technological needs, and to use ICT and other media for economic, social and political participation;

(m) Encourage gender-equality advocates to educate themselves about the potential of ICT to promote gender equality, and to involve themselves in ICT policy-making processes;

(n) Increase the use of local languages and support the development of a wide range of ICT-based programmes in local languages with content relevant to different groups of women, such as rural women;

(o) Develop e-governance mechanisms and participatory approaches in support of women's voices and strengthen their capacity to monitor government action in ICT-related areas;

(p) Ensure that all projects on ICT for development include gender dimensions, as well as specific activities for women, in order to increase women's access to ICT facilities and applications and participation in the ICT area;

(q) Increase efforts to compile statistics on ICT use disaggregated by sex and develop gender-specific indicators on ICT use and needs;

(r) Identify measurable performance indicators to assess the impact of funded ICT projects on the lives of girls and women.

B. Promotion of women's participation and employment in the information society

42. **Governments and regulatory bodies, international organizations including the United Nations system, and other actors, such as trade unions, business, professional and media organizations and the private sector should:**

(a) **Promote and strengthen women's entrepreneurship in the ICT sector, including by supporting role models and mentoring programmes and by encouraging the creation of networks and of business support programmes and linkages nationally, regionally and internationally;**

(b) **Develop programmes to enable women entrepreneurs to keep up with rapid changes in technology and increase their economic opportunities in ICT;**

(c) **Develop ICT-based information systems with relevant content, including information about national economic and trade policies and programmes, to enable women to increase their economic opportunities and entrepreneurship skills;**

(d) **Ensure that women gain access to promising new employment opportunities in the ICT area, including by increasing women's access to ICT literacy and skills at all levels, and also ensure that women are not disproportionately disadvantaged by the working conditions and organizational climate common within the global ICT industry, such as flexible employment practices;**

(e) **Develop ICT-based economic opportunities for women, especially rural women, such as telecentres, community access points and business incubators;**

(f) **Take steps, in particular by providing ICT education, training and access to credit and by promoting and recruiting more women at decision-making levels of the ICT sector, to ensure that women entrepreneurs, including small and micro-entrepreneurs, can take advantage of e-commerce opportunities;**

(g) **Enhance the use of ICT to increase women's economic literacy and economic empowerment by, among other things, promoting ICT education and training at all levels, encouraging educated women to acquire ICT skills, expanding women's participation in ICT-enhanced enterprises, including by scaling up and sustaining successful pilot projects, setting up economic-enterprise incubators and establishing mentoring programmes;**

(h) **Set targets for and monitor the achievement of gender balance among media personnel in different categories and levels of media employment, including technical areas of operation;**

(i) **Establish policies and procedures for recruitment, remuneration, promotion, work assignment and other aspects that affect professional access, employment and advancement that are guided by a commitment to gender equality;**

(j) Provide management, negotiation and leadership training for women to help them succeed in media companies;

(k) Conduct and support research into patterns of employment of women and men in the media and barriers to women's advancement, publicize the findings and implement measures to ensure that women are enabled and encouraged to stay in the media;

(l) Support community media as a form of media that is accessible to women;

(m) Encourage gender balance in private and community-based media in the process of granting licenses to broadcasters;

(n) Ensure that gender considerations are integrated into audience and readership surveys and that such surveys provide data disaggregated by sex and gender-specific information.

C. Mobilization of resources to promote gender equality in the media and in information and communication technologies

43. **All stakeholders, including Governments, international organizations, including the United Nations system, bilateral and multilateral donors, foundations and the private sector should:**

(a) Provide resources to support innovative projects in support of gender equality in ICT;

(b) Support the production of content that is particularly relevant to women's interests and concerns, including in areas of education and health;

(c) Increase, in existing funding mechanisms, the share of funds dedicated to ICT and gender equality components, identify new funding sources for such activities and ensure that gender perspectives are taken into account in all ICT funding mechanisms;

(d) Increase funding for ICT and gender-equality activities and provide funding for NGOs to strengthen opportunities for women's empowerment and participation through ICT;

(e) Allocate, in national budgets, resources to support strategies to increase women's participation in the information society;

(f) Encourage Governments to work with the ICT-related private sector to mobilize resources for gender-responsive ICT-based projects and programmes;

(g) Address infrastructure concerns that have a disproportionate impact on poor women and women living in remote or rural areas, such as poor connections to the telecommunication system and poor distribution of services, as well as the cost of both hardware and software;

(h) Provide resources for civil society organizations, especially women's organizations, to enhance grass-roots participation in ICT as well as in communication and media policy processes;

(i) **Use legal and regulatory means that enable public and community media to work in support of gender equality, for example, scaled licensing fees, the reservation of a portion of the broadcast and telecommunication spectrum for rural access and cross-subsidization from the private sector;**

(j) **Support the development of practical tools for gender and media policy development, training, monitoring and consumer awareness.**

D. Inclusiveness and participation in the promotion of gender equality in the information society

44. **Civil society, media organizations and others should:**

(a) **Participate in national and international ICT policy-making processes and raise gender-equality issues as they pertain to ICT;**

(b) **Raise awareness and build constituencies among a wide cross-section of women on the role of ICT in the promotion of gender equality and the empowerment of women;**

(c) **Adopt gender-sensitive professional codes and guidelines for coverage and representation, and encourage all media professionals to work in a manner that is supportive of gender equality;**

(d) **Avoid overreliance on information available via the Internet, and also seek out traditional information sources, bearing in mind that women — particularly women from developing countries — have few opportunities to make their information available on the Internet;**

(e) **Make a dedicated effort to seek out information generated by women, especially women from developing countries, that is available via the Internet;**

(f) **Provide gender-sensitive training for media professionals on the use and impact of ICT, particularly the Internet;**

(g) **Provide mentoring systems and other support strategies to enhance women's capabilities and potential for advancement in the media.**

E. World Summit on the Information Society

45. **All participants, and in particular the decision makers involved in planning the Summit, should:**

(a) **Include gender perspectives in every facet of the Summit — from policy and planning to action, monitoring and evaluation — and also include targets for the participation of women;**

(b) **Ensure active participation of gender-equality advocates in the preparatory process and the Summit itself to ensure that global ICT policy integrates gender-equality goals;**

(c) **Include women as leaders and decision makers in all Summit planning processes;**

(d) **Facilitate and encourage the participation of women as members of national delegations and representatives of civil society and business by setting targets for delegations to include at least 30 per cent women, including gender and ICT experts;**

(e) **Implement an information dissemination campaign that includes a wide range of media, such as radio, drama and print media, in a variety of languages on ICT as a tool for the empowerment of women.**

Notes

[1] http://www.un.org/womenwatch/daw/egm/ict2002/index.html.

[2] http://www.un.org/womenwatch/daw/egm/media2002/index.html.

[3] http://www.itu.int/wsis.

[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[5] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 3* (A/55/3/Rev.1), chap III.

[6] Ibid., *Fifty-sixth Session, Supplement No. 3* (A/56/3/Rev.1), chap. V, agreed conclusions 2001/1.

[7] http://www.unicttaskforce.org/

[8] Nancy Hafkin, "Gender issues in ICT policy in developing countries: an overview", paper presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002), and Swasti Mitter, "Who benefits? Measuring the differential impact of new technologies", in *Missing Links: Gender Equity in Science and Technology for Development*, International Development Research Centre in association with Intermediate Technology Publications and the United Nations Development Fund for Women, 1995.

[9] In October 2002, ITU organized an expert meeting in Geneva on ICT statistics, with an emphasis on gender. See also Nancy Hafkin, "Gender issues in ICT policy in developing countries: an overview", Chat Ramilo, "National ICT policies and gender equality. Regional perspective: Asia", and Sophia Huyer and Tatjana Sikoska (United Nations International Research and Training Institute for the Advancement of Women), "INSTRAW Virtual Seminar Series on Gender and Information and Communication Technologies: summary of discussions and recommendations", papers presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002), and Eva Rathgeber, "Gender and telecentres: what have we learned?", presentation at World Bank Gender and Digital Divide Seminar Series in March 2002: http://www.worldbank.org/gender/digitaldivide/Eva%20Rathgeber.ppt.

[10] Louise Chamberlain, "Considerations for gender advocacy vis-à-vis ICT policy and strategy", paper presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002).

[11] Swasti Mitter and Sheila Rowbotham (eds.), *Women encounter technology: Changing Patterns of Employment in the Third World*, London/New York: Routledge with the United Nations University/Institute for New Technologies, 1995.

[12] As stated by Eva Rathgeber, "... the technologies should be adapted to suit women rather than that women should be asked to adapt to suit the technologies", Division for the Advancement of Women online discussion on information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women (17 June-19 July 2002), page 17 of the final report: http://www.un.org/womenwatch/daw/egm/ict2002/online.html.

[13] See the papers presented by the experts at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002), and, in particular the "What has worked" examples included in the final report: http://www.un.org/womenwatch/daw/egm/ict2002/index.html.

[14] See, for example, Nancy Hafkin, "Gender issues in ICT policy in developing countries: an overview", paper presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002).

[15] Revathi Balakrishnan, Food and Agriculture Organization of the United Nations, "Harnessing ICTs for the advancement of rural women: FAO perspectives and strategic actions", paper presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002).

[16] Sonia Nunes Jorge, "The economics of ICT: challenges and practical strategies of ICT use for women's economic empowerment", paper presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002).

[17] See Shafika Isaacs, "IT's hot for girls! ICTs as an instrument in advancing girls' and women's capabilities in school education in Africa", and Gillian Kirkup, "ICT as a tool for enhancing women's education opportunities; and new educational and professional opportunities for women in new technologies"; papers presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002).

[18] United Nations Educational, Scientific and Cultural Organization, World Education Report 2002.

[19] Rita Mijumbi, "ICTs as a tool for economic empowerment of women: experiences from the use of a CD-ROM by rural women in Uganda", paper presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002).

[20] International Labour Organization, World Employment Report 2001, revealing a digital gender gap.

[21] Nancy Hafkin and Nancy Taggart, "Gender, information technology, and developing countries: an analytic study", Academy for Educational Development. United States Agency for International Development, Bureau for Global Programs, Field Support and Research, June 2001.

[22] Definition provided by Chat Ramilo, citing Bill Mead, in "National ICT policies and gender equality. Regional perspective: Asia", paper presented at the expert group meeting entitled "Information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women" (Seoul, 11-14 November 2002).

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Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century": review of gender mainstreaming in entities of the United Nations system

Thematic issues before the Commission on the Status of Women

Report of the Secretary-General

Summary

The present report is based on a description of the activities undertaken in the United Nations in recent years, on the issues of women's human rights and violence against women which are inextricably linked. The report treats women's human rights and violence against women in two separate parts and focuses primarily on one form of violence which has reached worldwide proportions and attracted the interest of the international community in recent years, namely, trafficking in women and girls. The report concludes with a series of recommendations for consideration by the Commission on the Status of Women.

* E/CN.6/2003/1.

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I. Introduction

1. In accordance with the multi-year programme of work for 2002-2006 adopted by the Economic and Social Council in its resolution 2001/4, the Commission on the Status of Women will review, as one of its thematic issues, "Women's human rights and elimination of all forms of violence against women and girls as defined in the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly".

2. The present report is based on a description of the activities undertaken in the United Nations in recent years, particularly since the adoption of the outcome document of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[1] on the issues of women's human rights and violence against women which are inextricably linked. All forms of violence against women, including trafficking, are violations of most or all basic human rights. The report will treat women's human rights and violence against women in two separate parts, following the structure of the Beijing Platform for Action, adopted in 1995 at the Fourth World Conference on Women,[2] which deals with these issues in two separate "areas of concern". Moreover, owing to the broad nature of the issue of violence, the present report will focus primarily on one form of violence which has reached worldwide proportions and attracted the interest of the international community in recent years, namely trafficking in women and girls.

3. In order to contribute to an analysis of the issue of trafficking, the Division for the Advancement of Women of the Department of Economic and Social Affairs, in collaboration with the Office on Drugs and Crime of the Secretariat (formerly the Office for Drug Control and Crime Prevention of the Secretariat), convened an expert group meeting on trafficking in women and girls in Glen Cove, New York, United States of America, from 18 to 22 November 2002. The conclusions and recommendations of the expert group meeting, which was attended by experts from various regions and by representatives from other United Nations entities, are provided in paragraphs 35 to 59 of the present report.

II. Women's human rights

4. Attention to the human rights of women has increased since the adoption in 1993 of the Vienna Declaration and Programme of Action,[3] in which it was stated that the human rights of women and the girl child are an inalienable integral and indivisible part of universal human rights. The Beijing Platform for Action stressed the need to promote and protect the full enjoyment of all human rights and fundamental freedoms of all women throughout their life cycle.

5. The Beijing Platform for Action provides a framework for the translation of human rights law into concrete actions aimed at achieving women's empowerment and gender equality. In particular, critical area of concern (strategic objective) I, "Human rights of women", takes a comprehensive approach to women's human rights. The interlinkages between human rights and violence against women are addressed in paragraph 224 of the Platform for Action, which calls for urgent action to combat and eliminate all forms of violence against women in private and public life, whether perpetrated or tolerated by the State or private persons. The issue of

human rights of women is also addressed in other areas of concern of the Platform, including strategic objective D, "Violence against women".

6. The importance of promoting and protecting women's human rights was reiterated in the five-year review of the Beijing Platform for Action. The outcome document of the twenty-third special session of the General Assembly (resolution S-23/3)[1] called for the creation of an enabling environment and the design and implementation of policies that promote and protect the enjoyment of all human rights — civil, cultural, economic, political and social rights, including the right to development — and fundamental freedoms, as part of the efforts to achieve gender equality, development and peace (para. 101 (o)). It also called for the creation of an environment that does not tolerate violations of the rights of women and girls (para. 68 (a)), and the adoption of measures through, inter alia, supporting and strengthening existing mechanisms entrusted with prosecuting perpetrators of violations of the human rights of women, to eliminate impunity (para. 99 (b)).

7. Since the adoption of the outcome document, considerable progress has been made in promoting and protecting women's human rights, particularly through the adoption of treaties at regional and international levels.[4] One of the most recent developments at the regional level is the work undertaken towards the adoption of a protocol to the African Charter on Human and People's Rights on the rights of women in Africa.

8. At the international level, the entry into force, in December 2000, of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women constitutes an important development (as at 10 December 2002, 48 countries had acceded to the Optional Protocol). Moreover, the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflicts entered into force in January and February 2002, respectively (as at 10 December 2002, 43 countries had acceded to both Optional Protocols).

9. The statute of the Special Court for Sierra Leone created in 2002 establishes jurisdiction over serious violations of article 3, common to the Geneva Conventions, including "outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault". The Rome Statute of the International Criminal Court,[5] which came into force in the same year, establishes jurisdiction to try crimes of sexual violence, such as rape, sexual slavery, enforced prostitution and forced pregnancy, as crimes against humanity when committed as part of a widespread or systematic attack directed at any civilian population. The statute also makes provision for the application of gender-sensitive justice, including victim and witness protection measures, as well as for achieving fair representation of female and male judges.

10. A clear sign of the increased international attention to women's human rights in the area of peace and security is the adoption in 2000 of Security Council resolution 1325 (2000), which underlined the vital role played by women in conflict solution and the importance of undertaking measures that ensure the protection of and respect for human rights of women and girls when negotiating and implementing peace agreements. A study, undertaken in follow-up to that resolution, constituted the premise for a report of the Secretary-General to the Security Council dated 16 October 2002 on women, peace and security,[6] which included issues of

accountability for violations of human rights during armed conflict. A gender and human rights perspective is increasingly being integrated into United Nations peacekeeping missions. For example, the integrated mission task force established in Afghanistan in October 2001 included experts on gender equality and human rights as a way to ensure adequate attention to those issues in the United Nations Assistance Mission in Afghanistan.

11. In recent years, the Commission on Human Rights and the Commission on the Status of Women have worked extensively in order to promote and protect women's human rights. In this context, and based on their respective resolutions 1997/43 of 11 April 1997 and 39/5 of 31 March 1995, both Commissions have adopted joint work plans — prepared annually by the Division for the Advancement of Women and the Office of the United Nations High Commissioner for Human Rights — with the aim of mainstreaming women's human rights.

12. Between 2000 and 2002, the Commission on Human Rights also adopted various resolutions addressing specific human rights, including women's equal ownership, access to and control over land and the equal rights to own property and to adequate housing (resolution 2002/49) and on integrating the human rights of women throughout the United Nations system (resolution 2002/50). In the latter regard, the Commission on Human Rights, inter alia, urged the use of gender-inclusive language in the formulation, interpretation and application of human rights instruments, as well as in reports, resolutions and/or decisions of the Commission on Human Rights, the Subcommission and the various human rights mechanisms. It also established various extra-conventional mechanisms, including a Special Rapporteur on adequate housing, a Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, and a Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, created under its resolutions 2000/9, 2001/57 and 2002/31, respectively. The Special Rapporteurs were invited to apply a gender perspective in their work.

III. Violence against women and girls

A. General

13. As mentioned above, "Violence against women and girls" is one of the critical areas of concern (i.e. strategic objective D) of the Beijing Platform for Action, which specifies various forms of violence against women, including battering, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence, violence related to exploitation, rape, sexual abuse, sexual harassment, trafficking in women and girls and forced prostitution. It also addresses particular forms of violence against women in situations of armed conflict, in particular murder, systematic rape, sexual slavery and forced pregnancy, forced sterilization and forced abortion, coercive or forced use of contraceptives, female infanticide and prenatal sex selection (paras. 114-115).

14. The outcome document of the twenty-third special session of the General Assembly reiterated the need to eliminate all forms of violence against women and girls, including through the launching of an international "zero tolerance" campaign against women (para. 87). It also called for increasing cooperation, policy responses

and effective implementation of national legislation and other protective and preventive measures aimed at the elimination of violence against women, including all forms of commercial sexual exploitation, as well as economic exploitation, including trafficking in women and children, infanticide, crimes committed in the name of honour, crimes committed in the name of passion, racially motivated crimes, abduction and sale of children, dowry-related violence and deaths, acid attacks and harmful traditional or customary practices such as female genital mutilation, early and forced marriages (para. 96).

15. Since the adoption of the outcome document, important steps have been taken at the national and international levels to address the issue of violence against women and girls. At the national level, several States parties to the Convention on the Elimination of All Forms of Discrimination against Women have made significant changes to their legislation in order to eliminate violence against women and girls, including domestic violence. For instance, at the twenty-seventh and exceptional sessions of the Committee on the Elimination of Discrimination against Women, held respectively in July and August 2002, Armenia, Barbados, Guatemala, Hungary,[7] Suriname, Saint Kitts and Nevis and Ukraine[8] reported on legislative initiatives undertaken to combat violence against women.

16. The intergovernmental bodies of the United Nations, including the Commission on the Status of Women, the Commission on Human Rights and the General Assembly, constantly address the various forms of violence to which women and girls are subjected in their agreed conclusions and resolutions.

17. At its forty-fifth session in 2001, the Commission on the Status of Women adopted agreed conclusions on women, the girl child and HIV/AIDS[9] in which it, inter alia, recommended the strengthening of concrete measures to eliminate all forms of violence against women and girls. It also adopted agreed conclusions on gender and all forms of discrimination, in particular racism, racial discrimination, xenophobia and related intolerance, stating that violence against women and girls was a major obstacle to the achievement of the objectives of gender equality, development and peace, and that violence against women both violated and impaired or nullified the enjoyment by women of their human rights and fundamental freedoms.

18. At its fifty-seventh and fifty-eighth sessions in 2001 and 2002, the Commission on Human Rights adopted resolutions on the elimination of violence against women in general (resolutions 2001/49 and 2002/52) and resolutions which identified specific categories of women victims of violence (resolution 2002/58, on violence against women migrant workers; resolution 2002/59 on the protection of migrants and their families; and resolution 2001/52 and 2002/62, on the human rights of migrants).

19. Particular manifestations of violence against women, including contemporary forms of slavery, systematic rape, sexual slavery and slavery-like practices, and traditional practices affecting the health of women and girls, such as female genital mutilation, have been the focus of the Subcommission on the Promotion and Protection of Human Rights as evidenced by its resolutions 2001/14, 2001/20 and 2001/13, respectively.

20. The Special Rapporteur on violence against women, its causes and consequences, as well as the Special Rapporteur on the sale of children, child

prostitution and child pornography continued to address the issue of violence. The former submitted a report to the fifty-eighth session of the Commission on Human Rights on cultural practices in the family that do violence to women,[10] while the latter submitted a report highlighting some of the ways in which the private sector was assuming a proactive and reactive role in responding to violations of children's rights related to prostitution.[11]

21. At its fifty-fifth session, the General Assembly adopted, on 4 December 2000, various resolutions which address the issue of violence against women and girls, including resolution 55/66 on the elimination of crimes against women committed in the name of honour, resolution 55/68 on the elimination of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly. At its fifty-seventh session, the General Assembly adopted resolutions 57/179 and 57/181 of 18 December 2002 of a similar nature.

B. Trafficking in women and girls

22. Trafficking in women and girls is a serious form of violence against women and girls as well as a violation of their human rights. The issue is addressed in the 1979 Convention on the Elimination of All Forms of Discrimination against Women (art. 6), as well as in the 1993 Declaration on the Elimination of Violence against Women (art. 2 (b)). At the regional level, this issue is covered in the 1994 Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (art. 2).

1. Efforts of the United Nations regarding trafficking in women and girls

23. Although trafficking in women and girls has been a long-standing concern of the international community, particular emphasis was given to the issue in the past decade. In 1994, at its thirty-ninth session, the Commission on the Status of Women adopted resolution 39/6, in which it invited Governments to combat trafficking in women and children through nationally and internationally coordinated measures, at the same time establishing or strengthening institutions for the protection of the victims of trafficking in women and children, and to ensure the necessary assistance for victims, including legal support services that are linguistically and culturally accessible, towards their full protection, treatment and rehabilitation.

24. The issue of trafficking of women and girls is addressed in the Beijing Platform for Action, under strategic objective D.3, "Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking". The Platform calls upon Governments to consider the ratification and enforcement of international conventions on trafficking in persons and on slavery and to take appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women and girls. Such measures were reaffirmed in the outcome document of the twenty-third special session of the General Assembly on the five-year review of the Beijing Platform for Action. In the outcome document, Governments are called upon to consider preventing, within the legal framework and in accordance with national policies, victims of trafficking, in particular women and girls, from being prosecuted

for their illegal entry or residence, taking into account they are victims of exploitation (para. 70 (c)).

25. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban in September 2001, in its final document[12] affirmed the urgent need to prevent, combat and eliminate all forms of trafficking in persons, in particular women and children, and recognize that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance (para. 30). States were urged to devise, enforce and strengthen effective measures at all levels to prevent, combat and eliminate all forms of trafficking in women and children, in particular girls, through comprehensive anti-trafficking strategies, including legislative measures, prevention campaigns and information exchange.

26. On 25 May 2000, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was adopted by the General Assembly in its resolution 54/263 and, as mentioned above, entered into force in January 2002. The Protocol obliges States parties to take the necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detention, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution and child sex tourism.

27. In November 2000, the General Assembly, by its resolution 55/25 of 15 November 2000, adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. This Protocol aims to prevent and combat trafficking in persons, paying particular attention to women and children; protect and assist the victims of trafficking, with full respect for their human rights; and promote international cooperation in order to meet these objectives (as at 10 December 2002, 21 countries had acceded to this Protocol).

28. In 2000, the General Assembly adopted resolution 55/67 of 4 December 2000, in which it urged Governments to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in women and girls through a comprehensive anti-trafficking strategy consisting of, inter alia, legislative measures, prevention campaigns, information exchange, assistance and protection for, and reintegration of, the victims and prosecution of all the offenders involved, including intermediaries. It also encouraged the sharing of knowledge and best practices. More recently, at its fifty-seventh session, the General Assembly adopted resolution 57/176 of 18 December 2002 on trafficking in women and girls.

29. At its fifty-seventh and fifty-eighth sessions in 2001 and 2002, the Commission on Human Rights adopted resolutions 2001/48 and 2002/51, on traffic in women and girls. The Commission also addressed some aspects of trafficking in its resolution 2002/59 on the protection of migrants and their families, as well as other resolutions. At its fifty-third session in 2001, the Subcommission on the Promotion and Protection of Human Rights included a sub-item on smuggling and trafficking in persons and protection of their human rights in the agenda. In its resolution 2001/14 of 15 August 2001, the Subcommission called upon States to place action against trafficking within a human rights framework, so that victims are fully protected and not treated as illegal immigrants. The Subcommission also addressed the issue of trafficking in persons through the activities of the Working

Group on Contemporary Forms of Slavery, which devoted its twenty-sixth session, in June 2001, to that issue.

30. At its tenth session in 2002, the Commission on Crime Prevention and Criminal Justice discussed the issue of trafficking in persons and expressed support for the global programmes against trafficking in human beings, corruption and transnational organized crime. Trafficking in persons will be the special theme of the Commission at its twelfth session in 2003.

31. A number of Special Rapporteurs of the Commission on Human Rights also continued to address the issue of trafficking in persons, especially women, children and migrants. The Special Rapporteur on violence against women, its causes and consequences, in her report to the fifty-eighth session of the Commission,[13] suggested that the issue of trafficking should be a priority on the international human rights agenda. The Special Rapporteur on the sale of children, child prostitution and child pornography, in his report to the fifty-eighth session of the Commission,[14] outlined a procedure, which is to be adopted, to investigate information received, in particular with respect to individual complaints alleging instances of the sale of children and the involvement of children in prostitution or pornography. The Special Rapporteur on the human rights of migrants, in her report to the fifty-eighth session of the Commission,[15] highlighted the need to combat the corruption that goes hand in hand with trafficking and a draft national legislation to penalize such illegal activities, which expose migrants to the worst forms of abuse.

32. The United Nations human rights treaty bodies continued to address the issue of trafficking during the consideration of reports of State parties, concluding observations or comments, general comments or recommendations and other work. For instance, in 2002, the Committee on the Elimination of Discrimination against Women recommended a series of measures to combat trafficking in women and girls in its concluding comments on the reports of Armenia, Barbados, Belgium, the Czech Republic, Denmark, Estonia, Greece, Portugal, the Russian Federation, Saint Kitts and Nevis, Suriname, Tunisia and Ukraine. At its twenty-seventh and twenty-eighth sessions in 2001, the Committee on the Rights of the Child addressed the issue of trafficking in children in its concluding observations on the reports of Cameroon, Cape Verde, Côte d'Ivoire, the Democratic Republic of the Congo, Guatemala, Paraguay and the United Republic of Tanzania. At its seventy-first and seventy-second sessions in 2001, the Human Rights Committee included the subject in its concluding observations on the reports of Croatia, the Czech Republic, the Democratic People's Republic of Korea, the Dominican Republic and Venezuela. At its twenty-sixth session in 2001, the Committee against Torture also addressed the issue of trafficking in women and girls in its concluding observations on the reports of Georgia and Greece.

33. Efforts of the United Nations system in the area of trafficking in women and girls have expanded since the adoption of the outcome document of the twenty-third special session of the General Assembly. A report of the Secretary-General was submitted to the General Assembly at its fifty-seventh session[16] summarizing the activities of the United Nations system in this area. Moreover, in May 2002, the United Nations High Commissioner for Human Rights prepared Recommended Principles and Guidelines on Human Rights and Human Trafficking,[17] which pay particular attention to women and children.

2. Recent regional efforts regarding trafficking in women and girls

34. In December 2001, the Economic Community of West African States (ECOWAS) adopted a Plan of Action against Trafficking in Human Beings, which commits member countries to take action against trafficking in persons in 2002 and 2003, setting achievable goals and objectives. Other regional efforts against trafficking are: the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, signed on 5 January 2002, and the regional Declaration against Trafficking in Human Beings adopted on 13 December 2002 by the Ministerial Council of the Organization for Security and Cooperation in Europe.

3. Expert group meeting on trafficking in women and girls

35. The following section summarizes the discussion and highlights the recommendations of the expert group meeting, held in Glen Cove, New York, from 18 to 22 November 2002.

Increase in trafficking in women and girls

36. Trafficking in human beings is the fastest growing form of transnational organized crime, involving very high earnings and very low risks. It thrives on the fact that many countries do not have adequate laws against trafficking. The laws, when enacted, often do not recognize a trafficked person as a victim. Globalization has facilitated freer movements of people, goods and services across international borders, unwittingly resulting in camouflaging clandestine operations such as human trafficking. Trafficking cannot be identified with migration, or even with illegal migration. However, poverty, inequalities, restrictions in immigration policies, including gender-based restrictions, increase the vulnerability of migrants, especially migrant women, and contribute to trafficking.

37. Trafficking in women and girls is one of the most corrosive forms of violation of human rights. It results in the gradual and total destruction of a woman's personal identity and her right to live as a free human being in a civilized society. Victims are subjected to violence, humiliation and violation of personal integrity, which in many cases leaves them with the lifelong effects of mental and physical trauma. Trafficking is a denial of the right to liberty and security of the person, the right to freedom from torture, violence, cruelty or degrading treatment, the right to a home and a family, the right to education and employment, the right to health care — everything that makes for a life with dignity. Trafficking has been rightly referred to as a modern form of slavery. Despite this, States have not yet integrated human rights concerns and strategies into their laws and policies relating to trafficking.

38. The contemporary situations of armed conflict or internal disturbances also lead to trafficking. Women and children are disproportionately targeted during such situations and constitute the majority of victims. During conflict, women and girls are vulnerable to sexual violence and exploitation, including torture, rape, forced pregnancy, sexual slavery, enforced prostitution and trafficking.[18] Women and children also constitute the majority of the world's refugees and internally displaced persons, creating further vulnerability, which can be exploited by traffickers. As pointed out in the report of the Secretary-General to the Commission on Human Rights on integration of the human rights of women and the gender perspective: traffic in women and girls, the problem of trafficking and the web of human rights

violations it embraces present some of the most difficult and pressing issues on the international human rights agenda. Complexities include different political contexts and geographical dimensions of the problem; ideological and conceptual differences of approach; the mobility and adaptability of traffickers; different situations and needs of trafficked persons; the inadequate legal framework; and insufficient research and coordination on the part of actors involved — at the national, regional and international levels.[19] As noted above, political, social and economic dislocation has led to an increase in trafficking in women and girls.

39. It is difficult to find accurate sex-disaggregated data on the magnitude of trafficking. However, available evidence suggests that women and girls constitute the majority of those trafficked. Trafficking has both supply and demand dimensions. On the supply side, factors that render persons, especially women and children, vulnerable to trafficking are: development processes marked by class, gender and ethnic concerns that marginalize women, in particular from employment and education; displacement as a result of natural and human made catastrophes; dysfunctional families; gendered cultural practices, gender discrimination and gender-based violence in families and communities.

40. On the demand side, globalization has fuelled the development of economic sectors requiring cheap labour that is usually performed by women. This situation, coupled with restrictive immigration policies, generates a market for trafficking. Other contributory factors are economic and political trade-offs between public officials and enforcement agencies that make trafficking a high-profit, low-risk venture; consumerism, greed and impoverishment of values, resulting in the exploitation of the vulnerability of human beings to trafficking.

41. Trafficking often occurs within the context of migration. Deprivation in countries of origin generates pressures to migrate to richer countries. The lack of access to reliable information and contacts, illiteracy and language barriers, which marginalized women face, makes these women particularly vulnerable to trafficking.

Issues and strategies to combat trafficking in women and girls

42. *A human rights and gender-based approach.* A gender and human rights perspective is an essential element in combating trafficking in women and girls. A counter-trafficking strategy must therefore address gender-based violence, which includes gender-based discrimination and racism; patriarchal structures which encourage and promote the demand for and the commercialization of women's and children's bodies; cultural practices and social-relation structures which violate the human dignity of women and are inherently exploitative and humiliating; the denial of equal social status to women in access to property and their attainment of economic independence and the attendant feminization of poverty, all of which foster a favourable environment for trafficking. Counter-trafficking strategies and programmes are both immediate and long-term interventions, which should provide adequate frameworks for the elimination of trafficking.

43. Every action against trafficking must be consistent with existing human rights standards and should not lead to further stigmatization or marginalization of women and girls who have been trafficked.

44. *Legal framework.* According to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish

Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, trafficking must be investigated, prosecuted and dealt with as a serious crime, committed in a framework of organized crime. However, so far the response of the criminal justice system has not been adequate. Trafficking still implies high profits for traffickers, but very low risk. Effective prosecution and punishment and the creation of legal mechanisms that enhance victims' rights are essential in the anti-trafficking strategy.

45. In the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in its resolution 40/34 of 29 November 1985, it is stated that a person may be considered a victim, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between the perpetrator and the victim. This definition implies that the protection of the rights of the trafficked person should be ensured because she/he is a victim and not only when she/he acts as a witness or when the testimony leads to the arrest and conviction of the offenders. Moreover, the Declaration stresses the need to facilitate the responsiveness of judicial and administrative processes to the needs of victims, inter alia, by taking measures to minimize inconvenience to victims, protect their privacy when necessary and ensure their safety, as well as that of their families and witnesses on their behalf, from intimidation and retaliation.

46. Within the framework of established principles and rules for a fair trial, a victim-friendly procedure should be established, taking into account the peculiar condition of the victim of trafficking, especially the impact of the trauma deriving from violence, loss of self-determination and self-esteem, and the bias and stereotypes connected with the condition of being an illegal alien and/or a prostitute.

47. It will also be important to ensure that national legislation guarantees that the trafficked person has access to justice, including police protection, legal representation and compensation.

48. *Victim support and empowerment.* Trafficked persons, especially women and girls, face negative consequences as a result of the lack of legislation and appropriate procedures aimed at supporting and protecting them. Victims are not identified as victims and thus do not receive appropriate support and protection. Victims may be criminalized for illegal border crossing; for crimes connected with the condition of being undocumented migrants; because of being prostitutes or for crimes connected with prostitution; for illegal labour; or for other reasons.

49. If they are deported without assistance, victims may be re-trafficked. Moreover, they are often afraid of retaliation from traffickers against them or against their families. In the event that trafficking involves illegal border crossing, owing to their illegal status in countries of destination, victims are often afraid of immediate deportation if they seek help and try to escape from traffickers. Possible alternatives to repatriation should be identified and stipulated in national legislation.

50. It is therefore important that a suitable referral mechanism be created, based on human rights protection and the need of the victim for immediate protection and help. Foreign victims should be given temporary residence and work permits and the chance of applying for asylum where safe return is not possible.

51. *Children's rights.* Children are trafficked for many different reasons: prostitution; paedophilia; forced labour or services; begging; involvement in

criminal activities, including petty theft and drug trafficking; illegal adoptions; and removal of organs. The underlying socio-economic and cultural causes and factors that increase vulnerability to trafficking include poverty; gender-based violence and discrimination; lack of education opportunities; restrictive migration regimes; and vulnerability associated with age. Under-aged girls, especially from dysfunctional families and impoverished families, are becoming victims of trafficking.

52. Despite the signature and ratification of the Convention on the Rights of the Child by most countries, adequate implementation is lacking. In most countries, there is no special protection and treatment for trafficked children. In countries of destination, children under age 12 are often placed in orphanages, while they wait organized return. Older children are often treated as illegal migrants and criminals and face prosecution, imprisonment and deportation from the countries in which they are arrested.

53. Special standards providing protection and rehabilitation for children should be established. In addition to measures provided for trafficked persons who are adults, assistance programmes for children should include education on the same terms as nationals and separate shelter and rehabilitation programmes for small children.

Recommendations

54. In order to combat trafficking in women and girls effectively, it is necessary to adopt an anti-trafficking strategy which uses a gender-based and human rights approach, as well as a criminal justice approach. On this premise, the expert group meeting made the following recommendations of both a general and more specific nature:

1. General

55. Governments should:

(a) Treat trafficking as a development concern and place it on the national, regional and international agenda;

(b) Ensure a balance between preventive interventions and those providing protection and assistance to trafficked persons;

(c) Integrate a gender and human rights perspective into all development and anti-trafficking plans in an integrated, multisectoral manner. This should encompass all relevant government ministries and departments, including national women's machineries and non-governmental organizations, which can play a key role.

2. Prevention

56. Governments at all levels, enforcement agencies, international organizations, including the United Nations system, with the assistance of non-governmental organizations and other actors of civil society, as appropriate, should:

(a) Review and reorient from a gender perspective macroeconomic, trade, and social sector policies to ensure that they do not exacerbate feminized poverty and gender-based inequalities;

(b) Adopt gender budgeting as a tool to ensure gender responsive outcomes of all policies and programmes;

(c) Expand opportunities and improve access to formal and non-formal education for women, girls, boys, and ethnic minority groups at all levels, to ensure a match between better education and available job opportunities;

(d) Establish indicators and provide sex and age-disaggregated quantitative and qualitative data on all aspects of trafficking and related movements. Establish appropriate national mechanisms for this purpose;

(e) Incorporate human rights education in education and training programmes for policy makers, institutional service providers (doctors, lawyers, social workers) and law enforcement agencies (police and judiciary), as an incentive for professional advancement;

(f) Institute training programmes for law enforcement, immigration and other front-line agencies dealing directly or indirectly with trafficking issues, in order to sensitize them and raise their awareness about issues relating to trafficking and victims; to furnish them with adequate instruments for the identification and protection of victims of trafficking; and to enhance their ability to handle trafficking issues;

(g) Build women's and children's capacity to deal with potential exploitation through: (i) pre-departure gender and rights-based orientation and training that provides information on human rights and available services, and on where and how to access such services when needed; (ii) distribution of information on safe migration through visa, passport, immigration and other offices; and (iii) public service advertisements, radio, television, print media and establishment of hotlines. Take specific measures for the protection of children, including issuance of passports or travel documents, and in respect of visa and travel regulations;

(h) Use positive cultural values and practices which promote empowerment of women and gender and sexual relations marked by mutuality, dignity and sensitivity, and which forestall trafficking;

(i) Raise public awareness and education about HIV/AIDS and myths promoting the use of young children for sexual exploitation;

(j) Develop mechanisms to monitor and prevent sexual exploitation of women and children on the Internet, and the use of the Internet as a means to traffic in persons;

(k) Conclude international, regional, subregional and bilateral agreements to ensure and facilitate data collection and exchange of information on: law enforcement cooperation; prosecution of offenders; assistance to victims, including return and reintegration; and prevention measures undertaken in the countries of origin, transit and destination. Conclude bilateral and regional agreements that provide for protection of immigrant workers, especially women;

(l) Develop information campaigns for the general public aimed at promoting awareness of the dangers of trafficking, especially in women and children, as well as small-scale, well-designed and targeted campaigns for special groups, including policy makers, police, judiciary and communities at risk;

(m) Establish mechanisms for monitoring employment agencies, travel agencies and adoption agencies, and develop mechanisms for accountability, including those that ensure safe living and working conditions compatible with

human respect and dignity. Ensure compliance with international standards regarding international adoptions.

3. Victim support and empowerment: assistance and protection based on victims' needs

57. Governments at all levels, international organizations, including the United Nations system, with the assistance of non-governmental organizations and other actors of civil society, as appropriate, should:

(a) Develop a referral system so that victims are referred to appropriate services;

(b) Develop clear guidelines and procedures for the identification and treatment of victims of trafficking based on human rights standards, with special protection for children under age 18;

(c) Establish and support safe and adequate shelters for all trafficked persons, regardless of their status, and establish clear rules on the establishment and operation of shelters in order to protect the rights of victims. The provision of such shelters should not be made contingent on the willingness of the victim to give evidence in criminal proceedings. Trafficked persons should not be held in immigration detention centres or other detention facilities;

(d) Ensure that all victims have access to health care, including physical care, culture-based psychological support and voluntary HIV/AIDS counselling and testing. Testing for HIV/AIDS should never be mandatory;

(e) Provide victims of trafficking with legal and other assistance in relation to any criminal, civil or other action against traffickers or exploiters. Victims should be provided with information in a language that they understand;

(f) Provide, in connection with assistance programmes, temporary residence permits to individuals on grounds of being a victim of trafficking, allowing victims to work, and/or apply for a residence work permit;

(g) Consider the possibility of granting asylum on grounds of trafficking;

(h) Ensure the safe and voluntary return of trafficked persons and provide them with other options, including residence permits or resettlement in a third country, where it is in the best interest of the victim;

(i) Establish cooperation between countries of origin, transit and destination to give better support to victims;

(j) Ensure that trafficked persons who return to their country of origin are provided with the assistance and support necessary to ensure their well-being, facilitate their social reintegration and prevent their re-trafficking. Measures should be taken to ensure the provision of appropriate physical and psychological health care, and housing, education and employment services for returned trafficked victims;

(k) In cases of children victims of trafficking, in situations where the safe return of the child to her or his family is not possible, or where such return would not be in the best interest of the child, establish adequate care arrangements that respect the rights and dignity of the trafficked child.

4. Legal framework: legislation and criminal justice responses

58. Governments should:

(a) Adopt and implement, as a matter of urgency and priority, laws aimed at improving the response of the criminal justice system to trafficking. National law should specifically criminalize trafficking and establish adequate penalties, according to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and in accordance with principles that promote human rights and gender equality;

(b) Ensure that appropriate techniques and methods, including financial investigation, are used for investigation and prosecution, bearing in mind that trafficking is normally committed in a context of organized crime;

(c) Ensure that special and protective procedures in investigation and criminal proceedings are stipulated where the victim concerned is a minor;

(d) Ensure that frozen and confiscated assets are used in favour of victims, including for assistance and rehabilitation programmes, microcredit projects and other measures aimed at promoting women's economic self-sufficiency and independence;

(e) Take measures to establish universal jurisdiction over trafficking and related offences;

(f) Accelerate ratification and strengthen implementation of international instruments and protocols on human rights, gender equality and criminal justice, directly or indirectly relating to trafficking;

(g) As a matter of priority and urgency, eliminate discriminatory legislation and gender-based customs and practices, which perpetuate the exploitation of women and children and the use of violence against them;

(h) Ensure that all anti-trafficking programmes are based on human rights principles and protect the rights of victims;

(i) Establish dissuasive penalties and ensure effective prosecution of corrupted officials who are accomplices of traffickers, recognizing that corruption is often a vehicle for the promotion and perpetuation of trafficking and acts as an obstacle to combating trafficking.

5. National mechanisms and international cooperation

59. Governments at all levels, international organizations, including the United Nations system, with the assistance of non-governmental organizations and other actors of civil society, as appropriate, should:

(a) Establish national mechanisms to combat trafficking;

(b) Develop national plans of action against trafficking and appoint national coordinators to harmonize implementation of the plans and foster cooperation between all relevant agencies;

(c) Institute intergovernmental, inter-agency and regional cooperation to coordinate anti-trafficking programmes. International organizations should act as facilitators for such cooperation;

(d) Establish mechanisms for monitoring and evaluating the implementation of national plans of action;

(e) Establish mechanisms for implementing specific anti-trafficking regulations and codes of conduct for all international personnel of peacekeeping, peace-building, civilian police, humanitarian and diplomatic missions, and for systematic investigation of all allegations of trafficking concerning such personnel;

(f) In reviewing the initial and periodic reports of States parties, human rights treaty bodies should continue to review and monitor the issue of trafficking in human beings, especially women and children, and make concrete recommendations in their concluding comments or observations.

Notes

[1] See General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[3] A/CONF.157/24 (Part I), chap. III.

[4] Other relevant international and regional treaties addressing women's human rights are discussed in section III of the present report.

[5] A/CONF.183/9.

[6] S/2002/1154.

[7] For the reports of Armenia, Barbados, Guatemala and Hungary, see documents CEDAW/C/2002/EXC/CRP.3/Add.1/Rev.1, CEDAW/C/2002/EXC/CRP.3/Add.5/Rev.1, CEDAW/C/2002/EXC/CRP.3/Add.4/Rev.1 and CEDAW/C/2002/EXC/CRP.3/Add.10/Rev.1, respectively.

[8] For the reports of Suriname, Saint Kitts and Nevis and Ukraine, see document A/57/38 (Part II).

[9] *Official Records of the Economic and Social Council, 2001, Supplement No. 7* and corrigendum (E/2001/27 and Corr.1), chap. I, sect. A.IV.

[10] E/CN.4/2002/83 and Add.1-3.

[11] E/CN.4/2001/78 and Add.1-2.

[12] See A/CONF.189/12, chap. I.

[13] E/CN.4/2002/83.

[14] E/CN.4/2002/88.

[15] E/CN.4/2002/94.

[16] A/57/170.

[17] E/2002/68/Add.1.

[18] See report of the Secretary-General to the Security Council on women, peace and security (S/2002/1154), paras. 6-7.

[19] See E/CN.4/2002/80, para. 2.